

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chiarelli et al.
Serial No.: 10/533,768
For: CONTROLLED AND CONTINUED DELIVERY OF RIFAXIMIN
AND/OR OTHER SUBSTANCES
Filed: May 4, 2005
Examiner: Nissa M. Westerberg
Art Unit: 1618
Confirmation No.: 8171
Customer No.: 27,623

Attorney Docket No.: 0002263USU/3061

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Dear Sir:

We are enclosing an Amendment in response to the non-final Office communication mailed August 5, 2010 in the above-identified application, together with a Supplemental Information Disclosure Statement and fee.

Petition for a three-month extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$555.00 (Small Entity) to extend the time for filing this response until February 7, 2011 (since February 5, 2011 is a Saturday.).

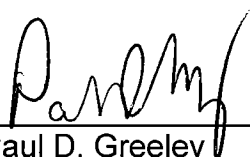
The fee for any change in number of claims has been calculated as shown below.

| CLAIMS AS AMENDED | | | | | | |
|------------------------------------|---|-------|---|---------------------|------------|--------|
| | Claims Remaining After Amendment | | Highest Number Previously Paid | Present Extra | Rate | |
| Total Claims | 16 | Minus | 20 | 0 | x \$52.00 | \$0.00 |
| Independent Claims | 1 | Minus | 3 | 0 | x \$220.00 | \$0.00 |
| MULTIPLE DEPENDENT CLAIM FEE | | | | x \$390.00 = \$0.00 | | |
| TOTAL FEE FOR CLAIM CHANGES | | | | \$0.00 | | |
| 1/2 FILING FEE FOR SMALL ENTITY | | | | \$N/A | | |

The total fee for this amendment, including claim changes (**\$0.00**), Supplemental Information Disclosure Statement (**\$180.00**, no discount), and three-month extension of time (**\$555.00 – Small Entity**) is calculated to be **\$735.00.**

XXX The Commissioner is hereby authorized to charge the total fees of **\$735.00** and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or to credit any overpayment, to **Deposit Account No. 01-0467** in the name of Ohlandt, Greeley, Ruggiero & Perle, LLP.

February 4, 2011
Date



Paul D. Greeley
Attorney for Applicant(s)
Registration No. 31,019
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Telephone: (203) 327-4500
Telefax: (203) 327-6401